



City of Seattle

Edward B. Murray, Mayor

Department of Planning and Development

D. M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3015186

Applicant Name: Dawn Bushnaq, Bushnaq Studio, for 1701 Dexter LLC

Address of Proposal: 1701 Dexter Avenue N

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a four-story building with four live/work units at ground level and 62 residential units above in an environmentally critical area. Parking for 44 vehicles to be provided within the structure. Project includes 8,500 cu. yds. of grading. Existing structures to be demolished.

This is a revision to a project approved under permit 3008741. Environmental Review and Early Design Guidance were conducted under Project #3008741.

The following approvals are required:

Design Review - Chapter 23.41 Seattle Municipal Code (SMC), involving design departures from the following Land Use code development standards:

- 1) SMC 23.47A.032: To allow access to parking from the street rather than the alley
- 2) SMC 23.54.030.G.2: To allow a portion of the structure (1.25 sq. ft.) to intrude into the required sight triangle area of the garage entry

SEPA DETERMINATION: Under Project #3008741, [X] DNS with conditions

BACKGROUND INFORMATION:

The site consists of two platted parcels and totals 16,231 square feet in area. The mid-block site is bounded on the east by Dexter Avenue N. and by an alley on the west. A mixed-use, residential structure is currently under construction along the north property line. An existing structure containing light-industrial uses abuts the south property line of the development site. The site measures approximately 160 feet in the north/south direction and 106 feet in the east/west direction. The site slopes downwards approximately 25 feet between the alley and the sidewalk at Dexter Avenue N.

The zoning is Neighborhood Commercial 3 with a 40-foot height limit (NC3-40).



The site is within both the 40% Steep Slope and Potential Slide Environmentally Critical Areas. Currently there are 3-story and 2-story wood-frame structures located on the north half of the site that are proposed to be demolished. Properties to the north and south of the site are also zoned NC3-40. Properties to the west are zoned C1-65. Properties to the east are zoned L-3. Surrounding uses include general commercial, retail, and single-family and multi-family residential uses.

The proposed development is for a terraced, four-story commercial/residential building with the ground floor occupied by live/work units. Sixty two residential units are proposed for the upper floors. Parking for 44 vehicles will be located subterranean and accessed from Dexter Avenue N.

Public Comments

No public comment letters were received during the public comment period that began on May 2, 2013, and ended on May 15, 2013. Public comments from the Design Review public meeting are noted within the Design Review process summary which follows.

ANALYSIS—DESIGN REVIEW

A determination was made that, although a major revision to MUP 3008741, the present project, located on the exact same site as the earlier MUP, would be subject to the Early Design Guidance Meeting for MUP 3008741, conducted on April 30, 2008. Following the MUP application, the proposal was brought before the Area 3 Design Review Board for its recommendation on September 11, 2013. On that date, in addition to recommending approval of the overall design as proposed, the Board recommended approval of the requested departure from development standards.

Early Design Guidance

At the Early Design Guidance meeting held on April 30, 2008, the Board cited the following guidelines as being of highest priority for development on the site.

DESIGN GUIDELINES

A Site Planning

A-1 Responding to Site Characteristic

The siting of buildings should respond to specific size conditions and opportunities such as unusual topography views and other natural features.

A-2 Streetscape Compatibility

The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the street.

A-4 Human Activity

New development should be sited and designed to encourage human activity on the street

A-7 Residential Open Space

Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open spaces.

The guidelines above were all chosen by the Board to be of high priority. The units appropriately stepped up the hillside to accommodate significant changes in site elevation. Human activity on the street should be promoted by the interface of sidewalk and the live/work units. Providing for vehicles entering and leaving the site should not interfere or diminish in any way the desired goal of enlivening the street. Guideline A-7 was cited to re-enforce the Board's acknowledgement that the proposed inner courtyard with lush landscaping should continue to be developed as an attractive and vital space for the residents of the project.

B Height, Bulk and Scale

Projects should be compatible and provide for transitions

The Board acknowledged that the overall massing of the project as shown in the preferred option seemed right for the setting and context. The interface of the live/work units and their access pathway with the residential entry and the public sidewalk should be finer tuned and should demonstrate a proper scale for clear interaction with the fronting sidewalk and public realm.

C Architectural Elements and Materials

C-2 Architectural Concept and Consistency

Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.

C-3 Human Scale

The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale

The Board noted that the project should explore opportunities to achieve a good human scale, especially as it informs the specific ways the live/work units address and provide for a transition to the sidewalk.

C-4 Exterior Finish Materials

Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, patterns, or lend themselves to a high quality of detailing are encouraged.

Architectural materials scale and details should be integrated within a building whose concept is appropriate for the site and its surroundings as well as its programmatic uses. The Board was not prescriptive regarding materials, but would expect to see a choice of durable and sustainable materials and to be presented with samples of both proposed colors and materials at the subsequent recommendation meeting. The modular development, the first of its kind and size, will be setting the precedent and establishing the desirable characteristics for other developments to follow.

D Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances

Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

D-6 Screening of Dumpsters, Utilities and Service Areas

Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible.

D-12 Residential Entries and Transitions

For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and provide for a visually interesting street front for the pedestrian. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other element.

The Board thought the opening into the building aligned opposite the Hayes Street intersection was a desirable feature of the proposal as was the courtyard located at a higher level at the heart of the project. Service functions they thought should be relegated to the alley. Serious attention should be given so as not to provide too much physical or psychological separation of the live/work units from the sidewalk. Such would be detrimental to the commercial functioning of these spaces. Expression should be given to clear path-finding details and to appropriate lighting and, in particular, signage.

E Landscaping

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites

Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

E-2 Landscaping to Enhance the Building and/or Site

Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project. Should reinforce the character of neighborhood properties and abutting streetscape.

Landscaping should be designed with the goal of realizing the prioritized guidelines, should soften the edge conditions where appropriate, and should contribute to an attractive and usable interior open space. The design should incorporate specific treatments to provide for an attractive transition between the sidewalk and the live/work units. A comprehensive Landscape Plan should treat both the on-site open space and the street's edge as well.

Departures from Development Standards:

At the Early Design Guidance meeting of April 30, 2008, the original design team identified three departures from design standards they would be requesting:

- Access to parking from Dexter Avenue N. as well as from the alley (SMC 23.47A.032—would require access from the alley only);
- Live/work units less than 30 feet in depth (SMC 23.47A.008 B3a—non-residential uses at street level must extend at least an average of 30 feet and a minimum of 15 feet in depth from the street-level street-facing façade);
- Height of the live/work units less than 13 feet floor-to-floor height (SMC 23.47A. 008 B3b—requires 13 feet).

The revisions incorporated into MUP 3015186 no longer require the second and third departure requests of the original project. Due to the steepness of the hillside above Dexter Avenue N., all access to parking will be taken from the street which requires a departure from SMC 23.47A.032. There will be no parking accessed from the alley to the west. As noted below, a second departure, to allow a partial obstruction within the required site triangle, was requested by the applicant and was recommended to be granted by the Board.

Recommendation Meeting, September 11, 2013

The Design Review Board conducted a Recommendation Meeting on September 11, 2013 to review the applicant's formal project proposal developed with modifications to the previously approved MUP 3008741, but still in keeping with responses to the previously identified guideline priorities. At the public meeting, site plans, elevations, floor plans, proposed exterior materials, and landscaping plans were presented for the Board members' consideration.

ARCHITECTS' PRESENTATION

The presentation began with an analysis of the immediate vicinity and development site. It was explained that the proposed project was a revision of MUP 3008741, and, having been determined by DPD to be a major revision, was required to follow the Early Design Guidance for the earlier proposal on site, set forth at the Design Review, Early Design Guidance meeting held on April 30, 2008. The current proposal would retain the approved site plan, massing, streetscape interface and open-space allocation of the originally approved MUP. Differences which affected the massing, appearance and functionality of the structure included the following: removal of a portion of the parking from off the alley, reorganization of both vertical and horizontal circulation so that it was now largely exterior, modification of the shape of the central courtyard, reorganization of the building massing along the alley to provide units that maximize opportunities for solar access and views at the upper levels.

See the DPD Design Review website for a copy of the packet presented:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Overview/default.asp

Public Comments:

- Only one member of the public attended the meeting, providing public comment regarding safety concerns attached to the interface of exiting autos and bicyclists heading south on Dexter Avenue N.

Departures Requested

1. **Access to the parking garage from Dexter Avenue N. rather than from the alley (SMC 23.47A.032).** Taking access to the parking area from the alley on this steep slope site would be impracticable and run counter to the goals of a tight, compact, design enabled by the modular residential units.
2. **Allow a concrete column to obstruct 1.25 square feet of the sight triangle area on the right side of the exiting driveway (SMC 23.54.030.G.2.).** The column is part of an architectural frame that helps to define the live/work units and helps to integrate the garage entry into the overall building design.

Board's Deliberations:

The Board complimented the development team on its thoughtful and orderly presentation. The Board noted that they agreed that the applicant's further development and refinement of the proposal preferred at the Early Design Guidance meeting held on April 30, 2008 was appropriate for the neighborhood and the site.

Among the remaining major issues singled out by the Board were the following two:

First, since location of the garage entry and its curb cut would be allowed through the departure process, and since a departure would be required for modification of the sight triangle, and since the original Early Design Guidance of the Board had noted the following:

A strong "interface of sidewalk and the live/work units" and achieving "a good human scale" that "informs the ways the live/work units address and provide for a transition to the sidewalk,"

The Board wanted to see the applicant address and resolve what was considered an unacceptable accessibility pathway that required passage to the northernmost live/work unit through the throat of the driveway.

Second, Guideline A-7 had been called out as of highest applicability for the success of the project and the Board had specified that "the inner courtyard with lush landscaping should continue to be developed as an attractive and vital space for the residents of the project." Members of the Board noted that the depictions of the inner courtyard in the presentation packet fell short of their expectations of "lush" and "vital." They were concerned lest it not get the use it deserved by appearing too sterile.

Although not totally agreed that lushness could be achieved in such a locale only through plant materials, the Board agreed that the courtyard needed to be "enriched," if not with more plantings certainly by the addition of more texture and materials and color. The handrails, for instance, would benefit from being composed of wood or at least the addition of warmth through a warm color applied to another material. The wire mesh of the guard rail structure, likewise, needed a reduction in size of opening or material or both to make it "less jail like."

It was the Board's expectation that the applicants would work with Planner to achieve acceptable solutions to address these two issues and concerns. Otherwise the project was seen to be in compliance with the appropriate Guidelines and to have addressed the earlier guidance of the Board.

Subsequent to the Board meeting, the applicants addressed these concerns of the Board, met with the planner, and changes, including additional color on the walls of the courtyard, modifications to the handrails, and additional plantings which provided for an enrichment of the courtyard experience were introduced into the plan sets as called for by the Board. In addition, the accessible live work unit was relocated so as not to necessitate the crossing of the driveway for access.

Departures from Development Standards:

In recommending approval of the project as presented at the September 11, 2013 Design Review Board Recommendation meeting, the Board recommended approval of the following requested departures from development standards:

- Access to parking: SMC 23.47A.032—would require access from the alley only. The Board agreed that alley access to underground parking, given the steep topography of the site and the differential height and separation of the alley above the street, was impracticable and would vitiate the positive elements of the design which provided for a compact array of prefabricated, modular units on site. The overall massing of the project, with terraced units stepped up the steep hillside to accommodate significant changes in site elevation, was the appropriate response to Guideline A-1, which called for the response to site characteristics.
- Sight Triangle: To allow a portion of the structure (a column) to occlude a portion of the required sight triangle (SMC 23.54.030.G.2). The Board agreed to the requested departure, noting that the architectural integrity and streetscape compatibility (Guideline A-2) was enhanced by the column, as long as other safety factors were included in the design to provide for adequate pedestrian safety.

The four members of the Board present recommended approval of the design as presented to them at the meeting and recommended approval of the requested departure(s) with the changes to the design noted above and incorporated into the design by the applicants.

DIRECTOR'S ANALYSIS - DESIGN REVIEW

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the Citywide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. In addition, the Director is bound by any condition where there was consensus by the Board and agrees with the conditions recommended by four Board members and the recommendation to approve the design, as stated above.

DECISION - DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the four Design Review Board members present at the Area 3 Design Review Board meeting held on September 11, 2013, and finds that they are consistent with the City of Seattle *Design Review: Guidelines for Multifamily & Commercial Buildings*.

Therefore, the proposed **design is approved** as presented at the September 11, 2013 Design Review Board meeting with the recommended development standard **departures** described above also **approved**, subject to the alterations to the plans, enumerated above and subsequently incorporated into the plan sets.

ANALYSIS – SEPA

A Determination of Non-Significance, constituting the Threshold Determination and form in satisfaction of the requirement of the State Environmental Policy Act (RCW 43.21.C) was published as part of MUP Decision 8008741 on January 26, 2009, given proper public notice, and was not appealed. Land Use Permit #3008741 was issued on March 20, 2009. Applicable Conditions of that Determination and Decision are included here for the convenience of the applicants and of the public.

CONDITIONS – SEPA (from #3008741)

The owner(s) and/or responsible parties shall:

Prior to Issuance of any Permit to Construct

1. Traffic mitigation fees in the amount of \$56,250 are required to be paid to mitigate transportation impacts to the South Lake Union neighborhood.
2. Submit to DPD for approval by the project's Land Use Planner and the Department's Noise Control Program Specialists, a Construction/Noise Impact Mitigation Plan, one that details, among other proposed construction activities, schedules for delivery and placement of modular units (if such are to be used in the construction process) outside of normal construction hours, as well as a detailed plan for maintaining at all times a safe and predictable pedestrian pathway along the west side of Dexter Avenue N.

During Construction

3. The sidewalk adjacent the project site and running along the Dexter Avenue N. right-of-way shall be kept open and made safely passable throughout the construction period. Should a determination be made by the Seattle Department of Transportation (SDOT) that closure of this sidewalk is temporarily permissible because necessary for demolition, shoring, structural modification or other purposes, DPD shall be notified by the developer or general contractor at least three days prior to the planned temporary closure and a plan shall be presented and approved by DPD prior to the closure. The temporary closure plan shall present alternative mitigation that is sufficient to mitigate the impacts this condition is intended to address.
4. Construction worker parking shall avoid residential neighborhoods and will utilize the on-site parking garage when it becomes available.

CONDITIONS-DESIGN REVIEW

Prior to issuance of any Certificate of Occupancy

5. Construct buildings with siting, materials, and architectural details substantially the same as those presented at the September 11, 2013 Design Review Board meeting, with any modifications required as conditions of the Board's approval.

Signature: _____ (signature on file) Date: March 6, 2014
Michael Dorcy, Senior Land Use Planner
Department of Planning and Development

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